ORDINANCE NO. 83-11

AN ORDINANCE VACATING, CLOSING AND ABANDONING A PORTION OF A STREET IN THE CITY OF ATKINS, ARKANSAS, BEING ~~THAT~~ PART OF AVENUE ONE SOUTHEAST.

WHEREAS, a petition was duly filed with the City Council of the City of Atkins, Arkansas, on the 17th day of August, 1983, to vacate and abandon a portion of Avenue One Southeast, running ~~North~~ and South.

WHEREAS, after due notice as required by law, the Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the street, hereinafter described, has heretofore been dedicated to the public use, but has not actually been used by the public for a period of five years; that the owner of the property abutting upon the portion of the street to be vacated has filed with the Council his written consent to such abandonment; and that public interest and welfare will not be adversely affected.

NOW THEREFORE, be it ordained by the City Council of the City of Atkins, Arkansas:

Section 1. The City of Atkins, Arkansas, hereby releases, vacates and abandons all its rights, together with the rights of the public generally in and to the portion of the street designated as follows:

Part of Avenue One Southeast (previously Dover Street) running North and South, commencing at the intersection of Avenue One Southeast and Southeast Fourth Street (previously Matthews Avenue) on the North end and proceeding thence South along Avenue One Southeast for a distance of 250 feet.

Section 2. A copy of the ordinance duly certified by the City Clerk shall be filed in the office of the Recorder of the County and recorded in the Deed Records of the County.

Section 3. This Ordinance shall take effect and be in force from and after its passage and publication, this 13th day of September, 1983.

Dallas L. Swain
DALLAS L. SWAIN, MAYOR

ATTEST: Syble Marple
SYBLE MARPLE, CITY CLERK

19P-506

NOTICE

The general public is hereby notified that Multi-Family Housing Specialists, Inc., by Bobby Hayes, President, has petitioned the City Council of the City of Atkins, Arkansas, to close and vacate the following street:

> Part of Avenue One Southeast (previously Dover Street) running North and South, commencing at the intersection of Avenue One Southeast and Southeast Fourth Street (previously Matthews Avenue) on the North end and proceeding thence South along Avenue One Southeast for a distance of 250 feet.

All interested parties are advised that the Atkins City Council will hear and determine whether the said street shall be vacated and closed, at a public hearing at the Atkins City Hall on the 13th day of September, 1983, at 7:15 p.m.

Syble Marple

Syble Marple, City Clerk

Publish twice

BEFORE THE CITY COUNCIL OF THE CITY OF ATKINS, ARKANSAS

PETITION TO VACATE STREET

IN THE MATTER OF VACATING A PART OF AVENUE ONE SOUTHEAST

Comes the Petitioner, Multi-Family Housing Specialists, Inc., by its President and Secretary, Bobby Hayes, and requests the City Council of the City of Atkins, Arkansas, to close and vacate the following described portion of a street:

> Part of Avenue One Southeast (previously Dover Street) running North and South, commencing at the intersection of Avenue One Southeast and Southeast Fourth Street (previously Matthews Avenue) on the North end and proceeding thence South along Avenue One Southeast for a distance of 250 feet.

That the Petitioner is the sole land owner of all the property abutting the above described portion of Avenue One Southeast on the East and West and said Petitioner does hereby consent to the closing and vacating of said street. A copy of the plat of the said street is attached hereto and incorporated herein by reference.

WHEREFORE, premises considered, the Petitioner prays that the City Council of the City of Atkins, Arkansas, close and forever vacate that portion of Avenue One Southeast as hereinbefore described.

MULTI-FAMILY HOUSING
SPECIALISTS, INC.

By _____
WILLIAM S. SWAIN

LAWS & SWAIN, P.A.
Attorneys at Law
P. O. Box 830
Russellville, AR 72801
(501) 968-1168